

**Fact Sheet
April 2001**

Used Oil and Oil Filter Management



*It is DTSC's
mission to protect
public health
and the
environment
from
harmful exposure
to hazardous
substances.*

This fact sheet was produced by the Department of Toxic Substances Control (DTSC) to provide an overview for generators and transporters of used oil and used oil filters in California. For a complete description of those requirements, consult Chapter 6.5, Division 20 of the California Health and Safety Code, including Article 13 (commencing with section 25250), and Title 22, California Code of Regulations (CCR), Division 4.5, including Chapter 29 (used oil) (commencing with section 66279.1) and section 66266.130 (used oil filters). If you generate used oil, oil filters or other hazardous waste, you should consult with your Certified Unified Program Agency (CUPA). Finally, DTSC strongly encourages all businesses generating hazardous waste to consider waste minimization, source reduction and pollution prevention.

USED OIL MANAGEMENT

Legal Definition of Used Oil

“Used oil means any oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities”. [HSC 25250.1](#)

Used oil includes, but is not limited to, the following:

Used motor oils:

- Vehicle crankcase oils
- Engine lubricating oils
- Transmission fluids
- Gearbox and differential oils

State of California



California
Environmental
Protection Agency



The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our website at www.dtsc.ca.gov.

Used industrial oils:

Hydraulic oils
Compressor oils
Turbine oils
Bearing oils
Gear oils
Transformer (electrical) oils
Refrigeration oils
Metalworking oils
Railroad oils

Used oil does NOT include:

Antifreeze
Brake fluid
Other automotive wastes
Fuels (gasoline, diesel, kerosene, etc.)
Grease
Solvents
Substances which are not oils
Oils with a flashpoint below 100°F
Oils containing more than 1,000 parts per million (ppm) total halogens unless the rebuttable presumption is rebutted
Oils mixed with hazardous waste
Wastewater containing small amounts of used oil
Oils containing 5 ppm polychlorinated biphenyls (PCBs) or greater
Oily wastes that are not used oil
Oily wastewaters that are not used oil
Tank bottoms
Used oil processing bottoms
Used oil re-refining distillation bottoms

Cooking oils (edible)

Edible oils that used for industrial purposes and that do not exhibit a hazardous characteristic

Used Oil Management

Used oil must be managed as a hazardous waste in California unless it is shown to meet one of the specifications for recycled oil in [HSC 25250.1\(b\)](#) or qualifies for a recycling exclusion under [HSC 25143.2](#). In most instances, this means that the generator will contract with a registered hazardous waste transporter to have the used oil picked up within the appropriate accumulation period. The accumulation period is 90 days for large quantity generators or 180 days for generators of less than 2200 lbs. of hazardous waste per month (270 days if the generator sends the oil to a used oil facility that is more than 200 miles away) [66262.34](#). The transporter must take the oil to an authorized used oil storage or treatment facility. Among the facilities are used oil recycling operations where the used oil is processed into recycled oil or re-refined into high-class lubricant.

Mixing of hazardous waste, including household hazardous waste, with used oil is prohibited.

Used Oil Generator Requirements

Persons or businesses generating used oil are required to meet all used oil generator requirements. Used oil collection centers must meet the same requirements. [66279.20](#) [66269.21](#) Householders who change their own oil (do-it-yourselfers) are exempted from regulation as used oil generators. They must, however, manage

their used oil appropriately (e.g., by taking it to a used oil collection center, etc., and never disposing of it to land, water, storm drains, etc.) Householders are allowed to transport their own used oil to a used oil collection center or to a used oil recycling facility if specified conditions are met. These conditions are described in this fact sheet under the section “[Transportation of Used Oil](#)” and in [HSC 25250.11](#). Some communities have a curbside used oil pickup program; check with your local solid waste or environmental health agency to see if it offered in your area.

An EPA Identification Number issued by DTSC is required for each site where used oil is stored. A generator who stores used oil at two places in the same site needs only one EPA Identification Number. There is one exception to this requirement. Generators of 100 kilograms or less of hazardous waste per month (including used oil) who ship used oil under a modified manifest ([HSC 25250.8](#)) are not required to obtain an EPA Identification Number. [66262.12](#) See the Duty Officer Fact sheet “[EPA Identification Numbers](#)”.

Used oil must be stored in tanks or containers in good condition. Tanks and containers must be made of non-earthen, non-absorbing, rust-resistant material such as steel or oil-resistant plastic, and have adequate structural support to contain the used oil. Good condition means no severe rusting, no apparent structural defects or deterioration, and no leaking. All containers must have tight-fitting lids that are kept closed except when used oil is being added or removed. Regular inspections and routine maintenance of all storage tanks and containers are required. Faulty tanks and containers must be repaired or replaced. Definitions of container and tank are given in [66260.10](#);

general information may be found in [66262.34\(a\)\(1\)](#).

Secondary containment is required for storage tanks. This is a backup containment system designed to prevent the release and migration of wastes or accumulated liquids out of a storage tank or a storage tank system. Examples of secondary containment systems include an impervious bermed area or liner, a vault, or a double-walled tank. [66262.34\(a\)\(1\)](#)

Above-ground storage tanks and containers accumulating used oil, and fill pipes used to transfer used oil into underground storage tanks must be labeled with the words “USED OIL-HAZARDOUS WASTE,” and the initial date of accumulation. In addition, containers must be labeled with the name and address of the generator. [66262.34\(f\)](#) For shipping, containers must also be labeled as follows:

HAZARDOUS WASTE - State and Federal Law Prohibit Improper Disposal. If found, contact the nearest police or public safety authority, the U.S. Environmental Protection Agency or the California Department of Health Services.

- Generator’s name and address
- Proper Department of Transportation (DOT) shipping name
- Generator’s EPA Identification Number
- Uniform Hazardous Waste Manifest number and the shipping identification number

Additional requirements for used oil generators are contained in the HSC and 22 CCR provisions cited at the beginning of this fact sheet.

The Rebuttable Presumption

HSC 25250.1(a)(1)(B)(v) 66279.10

Used oil handlers (e.g., generators, used oil collection centers, transporters transfer facilities and used oil recycling facilities) are required to determine whether the total halogen content of each used oil shipment exceeds 1,000 ppm. Used oil containing more than 1,000 ppm total halogens *is presumed* to have been mixed with halogenated hazardous waste and must be managed as a Resource Conservation and Recovery Act (RCRA) hazardous waste unless the used oil can be demonstrated not to have been mixed with halogenated hazardous waste (i.e., unless the presumption is rebutted). This is a “rebuttable presumption.”

The “Rebuttable Presumption” Works as Follows in California

Generators, transporters and used oil collection centers are required to test or apply knowledge to determine whether a used oil shipment has a total halogen content over or under 1,000 ppm. If a generator, transporter or used oil collection center chooses to apply knowledge to determine that used oil does not contain more than 1,000 ppm total halogens, this must be done in accordance with criteria specified in [66279.10\(a\)\(1\)\(B\)](#) for generators, [66279.10\(a\)\(3\)\(B\)](#) for transporters, and [66279.10\(a\)\(6\)](#) for used oil collection centers.

Used oil transfer facilities and used oil recycling facilities are required to test each shipment of used oil for total halogens before accepting the shipment.
[66279.90\(a\)](#)

If it is determined that the used oil shipment contains greater than 1,000 ppm total halogens, used oil is presumed to have been mixed with halogenated hazardous waste and must be handled as RCRA hazardous waste, unless the presumption is rebutted.

In order to rebut the presumption that the used oil shipment was mixed with RCRA hazardous waste, the used oil handler must demonstrate that the used oil was not mixed with halogenated hazardous waste. Where this demonstration is successfully made, the used oil is regulated as used oil. The rebuttable presumption is deemed rebutted for the following types of used oils where specified conditions [66279.10\(b\)](#) are met: metalworking oils or fluids containing chlorinated paraffins, refrigeration oils contaminated with chlorofluorocarbons, used oil which is exclusively household “do-it-yourselfer” used oil or used oil from a conditionally exempt small quantity generator. (A conditionally exempt small quantity generator generates no more than 100 kilograms of RCRA hazardous waste in a month and does not accumulate more than 1,000 kilograms of hazardous waste onsite at any time.) [40 CFR 261.5](#)

Transporting Used Oil

In general, California law requires that a registered hazardous waste transporter transport used oil. However, there are a few instances in which the use of a registered hazardous waste transporter is not required. These are as follows:

Householders and conditionally exempt small quantity generators are allowed to transport up to 20 gallons of used oil per trip to an authorized used oil collection center if the oil is carried in containers that hold 5 gallons or less and specified

conditions are met. Authorized used oil collection centers include certified used oil collection centers ([Public Resources Code Section 48622](#)), recycle-only household hazardous waste collection facilities, or collection facilities operating pursuant to [HSC 25250.11](#). If specified conditions are met, mobile maintenance operations (see below) may transport up to 55 gallons of used oil in any one vehicle at any one time from an off-site location to a consolidation point.

When used oil is transported by a registered hazardous waste transporter, either a full hazardous waste manifest or a modified hazardous waste manifest must be used. When a modified hazardous waste manifest is used, the driver is required to provide the generator (at the time of used oil pickup) with a legible copy of a receipt for each quantity of used oil received. The generator must maintain these receipts for 3 years. Each receipt must contain the following information:

- Generator's name, address, EPA Identification Number (if applicable) and telephone number.
- Generator's signature or signature of generator's representative.
- Date of shipment.
- State manifest number (pre-printed on the manifest).
- Volume and shipping description of each type of used oil received.
- Name and address of the authorized facility to which the used oil is being transported.
- The transporter's name, address and identification number.
- The driver's signature.

Additional requirements for used oil transporters are contained in the statutes and regulations cited at the beginning of this fact sheet.

Mobile Maintenance Operations **[HSC 25250.12](#)**

Maintenance businesses that generate used oil in the performance of routine maintenance operations at off-site locations are subject to special requirements. Such businesses include off-site heavy equipment operations (e.g., construction vehicle fleets) and mobile oil-changing businesses providing oil changes for personal and business vehicles at the customer's location. The following requirements apply:

- The owner/operator of the mobile maintenance business must have a point of consolidation for the used oil. The point of consolidation can be either at the maintenance business location or at a separate location owned by another person, such as a service station.
- The maintenance business must have an EPA ID number. When a separate location is used for consolidation, both the maintenance business and the separate location must have EPA ID numbers.
- The point of consolidation must be at a non-residential location.
- The transport vehicle must be owned by the business or by an employee of the business.
- The business is not required to register as a hazardous waste transporter as long as they transport no more than 55 gallons of used oil from off-site location(s) to the point of consolidation at any one time.

- The used oil is deemed to be generated at the point of consolidation upon consolidation.
- The used oil must be handled and stored at the point of consolidation in accordance with all applicable hazardous waste laws.
- The consolidated used oil must be transported by a registered hazardous waste transporter from the point of consolidation to a permitted used oil recycling facility.

Miscellaneous

It is unlawful to dispose of used oil on land, to sewers and other water systems, or to burn used oil as a fuel or by incineration, including in space heaters and similar devices. The use of used oil as a dust suppressant (road oiling) or for insect or weed control is prohibited. [HSC 25250.5](#)

Generators of used oil who also operate used oil collection centers, such as service stations, are advised to not mix the used oil generated in their business with the used oil from the collection center. The rebuttable presumption is not deemed rebutted if used oil from householders or conditionally exempt small quantity generators has been mixed with used oil from other sources.

MANAGING USED OIL FILTERS [66266.130](#)

Introduction

Used oil filters may exhibit hazardous characteristics for lead, other heavy metals and oil-based compounds. Used oil filters must either be managed as hazardous waste, or in accordance with the

requirements found in the regulations outlined in this fact sheet. DTSC adopted special regulations in 1991 to encourage recycling of used oil filters and to protect public health and safety and the environment from the potential hazards posed by disposal of used oil filters. These requirements are directed primarily at non-household generators of used oil filters, such as businesses and used oil collection centers. Used oil filters not managed as described in this fact sheet must be managed as fully regulated hazardous waste. Disposal of used oil filters in trash cans and at sanitary landfills is prohibited. Fuel filters, including fuel dispenser and diesel fuel filters, are not used oil filters and may not be managed in the same manner as used oil filters.

Summary of Management Requirements

Used oil filters must be:

- Drained of all free-flowing oil.
- Properly contained, labeled and stored.
- Stored without exceeding allowed time limits.
- Transported to an allowed destination for purposes of metal reclamation.
- Transported under a bill of lading with a copy kept by the generator for three years.
- All used oil removed from the filters must be managed in accordance with all applicable requirements of [Article 13](#), [HSC Chapter 6.5](#), [Division 20](#) and [22 CCR Section 66279](#).

Detailed Management Requirements

Draining

Used oil filters must be drained of all free-flowing used oil. “Free-flowing used oil” means a continuous stream of used oil from the filter when it is inverted. Used oil flowing drop-by-drop is not considered to be free-flowing. If the filter is equipped with a flapper valve or other device that impedes the drainage of used oil from the filter, that device must be manipulated to allow the used oil to leave freely.

Properly drained oil filters may be punctured, crushed, opened, further drained or otherwise handled if the purpose of the treatment is to prepare the filters for recycling. The treatment does not require a DTSC permit. The generator must properly manage all used oil and other residues generated from the treatment of the filters.

Containers

Businesses or public agencies that accept used oil filters from householders must place the filters in containers upon acceptance to capture all used oil that separates from the filters. Upon reaching a location where proper drainage is practical, the filters must be contained as described below, and any used oil drained from the filters managed in accordance with all applicable requirements.

- The drained filters must be contained in rainproof, non-leaking containers with tightly-sealed lids.
- The container must be labeled “Drained Used Oil Filters” and the initial date of accumulation or receipt marked on each container.

- The initial date of accumulation is the date when the first filter is placed in the container, or the date when a full or partially full container of filters is received at a second location.

Storage

- Up to one ton of used oil filters may be stored for a period of up to one year, unless the storage facility has a hazardous waste permit authorizing longer storage of used oil filters.
- Storage of one ton or more of used oil filters is limited to 180 days, unless the storage facility has a hazardous waste permit authorizing longer storage of used oil filters.

Allowed Destinations

The only allowed destinations for used oil filters are:

- To a smelter or scrap metal processor where used oil filters are recycled.
- To a municipal solid waste incinerator for energy recovery if the residual casings are subsequently transferred to a smelter or scrap metal processor for recycling.
- To a storage or consolidation facility that subsequently transfers the filters to a smelter, scrap metal processor or municipal solid waste incinerator as described above.
- To an authorized hazardous waste facility.

Transportation

- Only properly-drained filters may be transported.

- The containers must be tightly-sealed during transportation to prevent any spillage of used oil.
- The containers must be well-secured in the transport vehicle to prevent movement or tipping during transportation.
- A bill of lading must accompany each shipment of used oil filters, and must contain the following information:
 - Generator's name, address, and telephone number of the generator
 - Transporter's name, address, and telephone number of the transporter
 - Name, address and telephone number of the receiving smelter, scrap metal processor, municipal solid waste incinerator, or storage or consolidation facility
 - Quantity and size of the containers in the shipment
 - Date of transportation
- A copy of each bill of lading must be maintained by the transporter, generator and receiving facility for 3 years.

USEFUL CONTACT INFORMATION

DTSC Public and Business Liaisons (Duty Officers)

If you cannot find the answer to your question in this fact sheet, contact the DTSC Public and Business Liaisons (Duty Officers). You can call them at 800-728-6942, or contact them via the Department of Toxic Substances Control website — <http://www.dtsc.ca.gov> — click on Frequently Asked Questions, and follow

the Duty Officer link to the page listing Duty Officers' email addresses (http://www.dtsc.ca.gov/oea/duty_officers/about.html.)

DTSC Public and Business Liaisons provide informal guidance only regarding management of hazardous waste for the convenience of the public. Such advice is not binding upon DTSC, nor does it have the force of law. If you would like a formal opinion on a matter by DTSC, please contact the responsible program office directly. You should also refer to the statutes and regulations, DTSC Policies and Procedures, and other formal documents. We also encourage you to complete a Cal/EPA Customer Satisfaction survey <http://www.calepa.ca.gov/about/custsvc.htm> so that we may improve our Public and Business Liaison Program.

Other Useful Numbers

For specific locations of authorized used oil collection centers in your area:

Cal/EPA Recycling Hotline:
1-(800) CLEAN-UP or 1-(800) 253-2687
or
<http://www.1800cleanup.org/>

For additional information on EPA ID Numbers:

DTSC Generator Information Services
Section (916) 255-1136 or (800) 618- 6942 (California only)
See the online Fact Sheet:
“[EPA Identification Numbers](http://www.dtsc.ca.gov/library/fact_sheets/topics.html)”
http://www.dtsc.ca.gov/library/fact_sheets/topics.html

To report illegal disposal or management of used oil or used oil filters, contact:

Your local [Certified Unified Program Agency](#) or

DTSC Waste-Alert Hotline:

(800) 698-6942 or

911 - Only if you see a crime (such as disposal to a storm drain) in progress.

See the online list of local government contacts:

http://www.dtsc.ca.gov/oea/duty_officers/contacts.html

For questions about operating a certified used oil collection center:

[California Integrated Waste Management Board](#) (916) 341-6457